

JAMIE LYNN GALLIAN  
16222 Monterey Lane Unit 376  
Huntington Beach, CA 92649  
(714) 321-3449  
[jamiegallian@gmail.com](mailto:jamiegallian@gmail.com)

Debtor, IN PRO PER

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re:

Case No. 8:21-bk-11710-SC

Chapter 7

JAMIE LYNN GALLIAN

**DECLARATION OF JAMIE LYNN GALLIAN  
IN OPPOSITION TO DOCKET NO. 265,  
FILED BY RESPONDENT, THE  
HUNTINGTON BEACH GABLES  
HOMEOWNERS ASSOCIATION, A  
CALIFORNIA NONPROFIT MUTUAL  
BENEFIT CO. "NOTICE OF LODGMENT OF  
ORDER"**

Date: November 15, 2022  
Time: 11:00 a.m.  
Place: Courtroom 5C  
U.S. Bankruptcy Court  
411 W. Fourth Street  
Santa Ana, CA 92501

Debtor Jamie Lynn Gallian respectfully opposes the NOTICE OF LODGMENT OF ORDER, [DOCKET 265] filed by The Huntington Beach Gables Homeowners Association, A California Nonprofit Mutual Benefit Corporation.

On November 15, 2022, Debtor and Movant, Jamie Lynn Gallian appeared in pro per. Brandon J Iskander of Goe Forsythe & Hodges LLP appeared on behalf of respondent The Huntington Beach Gables Homeowners Association. Debtor submits for consideration the Order Lodged by respondent [is not] an accurate reflection of the Court's tentative ruling made the Final Order of the Court.

The Court's published tentative ruling to deny the Motion To Avoid Lien Under 11 U.S.C. §522(f), of which a true and correct copy of the Court's tentative ruling for the November 15, 2022, hearing is attached as **Exhibit 1**.

I, declare of penalty of perjury the foregoing to be true and correct. Signed this 15th day of November 2022

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>Robert P. Goe – State Bar No. 137019  Brandon J. Iskander – State Bar No. 300916  <b>GOE FORSYTHE &amp; HODGES LLP</b>  17701 Cowan Street, Suite 210, Bldg. D  Irvine, CA 92614  Telephone: (949) 798-2460  Facsimile: (949) 955-9437  Email: rgoe@goforlaw.com  biskander@goforlaw.com</p> <p><input type="checkbox"/> Individual appearing without an attorney  <input checked="" type="checkbox"/> Attorney for: Huntington Beach Gables Homeowners Association</p>	<p>FOR COURT USE ONLY</p>
<p><b>UNITED STATES BANKRUPTCY COURT</b>  <b>CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION</b></p>	
<p>In re:</p> <p>JAMIE LYNN GALLIAN,</p>	<p>CASE NO.: 8:21-bk-11710-SC</p> <p>CHAPTER: 7</p>
<p><b>NOTICE OF LODGMENT OF ORDER IN  BANKRUPTCY CASE RE: (<i>title of motion</i><sup>1</sup>):  DEBTOR'S AMENDED MOTION TO AVOID LIEN UNDER  <u>11 U.S.C. § 522(f)</u></b></p>	
<p>Debtor(s)</p>	

PLEASE TAKE NOTE that the order titled ORDER DENYING DEBTOR'S AMENDED MOTION TO AVOID LIEN WITHOUT PREJUDICE was lodged on (date) November 15, 2022 and is attached. This order relates to the motion which is docket number 244.

<sup>1</sup> Please abbreviate if title cannot fit into text field.



**Bankruptcy LODGED ORDER UPLOAD FORM**

Tuesday, November 15, 2022

CONFIRMATION :

Your Lodged Order Info:

( 11259078.docx )

A new order has been added

- **Office:** Santa Ana
- **Case Title:** Jamie Lynn Gallian
- **Case Number:** 21-11710
- **Judge Initial:** SC
- **Case Type:** bk ( Bankruptcy )
- **Document Number:** 244
- **On Date:** 11/15/2022 @ 01:34 PM

Thank You!

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United States Bankruptcy Court  
Central District of California  
Edward R. Roybal Federal Building and Courthouse  
255 East Temple Street  
Los Angeles, CA 90012

1 Robert P. Goe – State Bar No. 137019  
2 Brandon J. Iskander – State Bar No. 300916  
**GOE FORSYTHE & HODGES LLP**  
3 17701 Cowan Avenue, Suite 210, Bldg. D  
Irvine, CA 92614  
rgoe@goeforlaw.com  
biskander@goeforlaw.com

Telephone: (949) 798-2460  
Facsimile: (949) 955-9437

6 Attorneys for The Huntington Beach Gables Homeowners Association

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re:

Case No. 8:21-bk-11710-SC

12 JAMIE LYNN GALLIAN

Chapter 7 Proceeding

14 || Debtor

**ORDER DENYING DEBTOR'S  
AMENDED MOTION TO AVOID LIEN  
WITHOUT PREJUDICE**

[DOCKET NO. 244]

## Hearing

Date: November 15, 2022  
Time: 11:00 a.m.  
Place: Courtroom 5C  
U.S. Bankruptcy Court  
411 W. Fourth Street  
Santa Ana, CA 92501

The Debtor's Amended Motion to Avoid Lien Under 11 U.S.C. § 522(f) [Docket No. 244] ("Motion") came on for regular hearing on November 15, 2022 before the U.S. Bankruptcy Court for the Central District of California, Santa Ana Division, the Honorable Scott C. Clarkson presiding. Movant Jamie Lynn Gallian appeared in pro per. Brandon J. Iskander of Goe Forsythe & Hodges LLP appeared on behalf of respondent the Huntington Beach Gables Homeowners Association.

The Court having reviewed the Motion, the Huntington Beach Gables Homeowners Association's Preliminary Opposition to the Motion [Docket No. 255], the Opposition to the Motion

1 [Docket No. 260], the Evidentiary Objections to the Motion [Docket No. 261], the Request for  
2 Judicial Notice in support of the Opposition to the Motion [Docket No. 262], and all other papers  
3 filed by Debtor in support of the Motion [Docket Nos. 245, 246, 247, 252, 253, 254, 257, 258, 263  
4 & 264], based on the findings of fact and conclusions of law made by the Court on the record at the  
5 hearing, and based on the Court's tentative ruling which the Court adopted as its final ruling,

6 **IT IS ORDERED,**

- 7 1. The Motion is denied without prejudice; and  
8 2. If Debtor's motion for reconsideration [Docket No. 157] is granted, Debtor may  
9 renew the Motion.

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 17701 Cowan Street, Suite 210, Irvine, CA 92614

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY** **CASE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November 15, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Bradford Barnhardt [bbarnhardt@marshackhays.com](mailto:bbarnhardt@marshackhays.com),  
[bbarnhardt@ecf.courtdrive.com](mailto:bbarnhardt@ecf.courtdrive.com),  
[kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com)
- Aaron E. DE Leest [adeleest@DanningGill.com](mailto:adeleest@DanningGill.com), [danninggill@gmail.com](mailto:danninggill@gmail.com); [adeleest@ecf.inforuptcy.com](mailto:adeleest@ecf.inforuptcy.com)
- Robert P Goe [kmurphy@goeforlaw.com](mailto:kmurphy@goeforlaw.com), [rgoe@goeforlaw.com](mailto:rgoe@goeforlaw.com); [goeforecf@gmail.com](mailto:goeforecf@gmail.com)
- Jeffrey I Golden (TR) [lwerner@go2.law](mailto:lwerner@go2.law), [jig@trustesolutions.net](mailto:jig@trustesolutions.net); [kadele@go2.law](mailto:kadele@go2.law)
- D Edward Hays [ehays@marshackhays.com](mailto:ehays@marshackhays.com),  
[ehays@ecf.courtdrive.com](mailto:ehays@ecf.courtdrive.com); [kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com); [cmendoza@marshackhays.com](mailto:cmendoza@marshackhays.com); [cmendoza@ecf.courtdrive.com](mailto:cmendoza@ecf.courtdrive.com)
- Brandon J Iskander [biskander@goeforlaw.com](mailto:biskander@goeforlaw.com), [kmurphy@goeforlaw.com](mailto:kmurphy@goeforlaw.com)
- Eric P Israel [eisrael@DanningGill.com](mailto:eisrael@DanningGill.com), [danninggill@gmail.com](mailto:danninggill@gmail.com); [eisrael@ecf.inforuptcy.com](mailto:eisrael@ecf.inforuptcy.com)
- Laila Masud [lmasud@marshackhays.com](mailto:lmasud@marshackhays.com), [lmasud@ecf.courtdrive.com](mailto:lmasud@ecf.courtdrive.com); [kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com)
- Mark A Mellor [mail@mellorlawfirm.com](mailto:mail@mellorlawfirm.com), [mellormr79158@notify.bestcase.com](mailto:mellormr79158@notify.bestcase.com)
- Valerie Smith [claims@recoverycorp.com](mailto:claims@recoverycorp.com)
- United States Trustee (SA) [ustpregion16.sa.ecf@usdoj.gov](mailto:ustpregion16.sa.ecf@usdoj.gov)

**2. SERVED BY UNITED STATES MAIL:** On (date) November 15, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Jamie Lynn Gallian

16222 Monterey Ln Unit 376  
Huntington Beach, CA 92649

Janine Jasso

PO Box 370161  
El Paso, CA 79937

Michael D Poole

Feldsott & Lee  
23161 Mill Creek Dr Ste 300  
Laguna Hills, CA 92653

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 15, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

- Scott Clarkson, USBC, 3420 Twelfth Street, Riverside, CA 92501  
(document delivery suspended due to COVID 19 protocols)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 15, 2022

Susan C. Stein

Date

Printed Name

/s/Susan C. Stein

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

# EXHIBIT 1

EXHIBIT 1

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, November 15, 2022**

**Hearing Room 5C**

**11:00 AM**

**8:21-11710 Jamie Lynn Gallian**

**Chapter 7**

**#19.00**

**Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)  
(Real Property) With The Huntington Beach Gables Homeowners Association  
(Amended Motion filed 10/7/2022)**

**Docket 244**

**Tentative Ruling:**

Tentative for 11/15/22 is to DENY without prejudice. Debtor cannot establish that the lien of Huntington Beach Gables HOA impairs an exemption she has asserted in the Property since pursuant to the order entered August 5, 2022 [Dk. 177], "[a]ny claim of exemption by Debtor in the Property is disallowed." If Debtor's motion for reconsideration is granted, Debtor may renew this motion.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1610938469>

Meeting ID: 161 093 8469

Password: 166049

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, November 15, 2022

Hearing Room 5C

11:00 AM

CONT... Jamie Lynn Gallian

Chapter 7

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 093 8469

Password: 166049

For further details, please consult the instructions on the Court's website  
<https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at  
<https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

**Party Information**

**Debtor(s):**

Jamie Lynn Gallian Pro Se

**Movant(s):**

Jamie Lynn Gallian Pro Se

**Trustee(s):**

Jeffrey I Golden (TR) Represented By  
Aaron E DE Leest  
Eric P Israel

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 5801 SKYLAB ROAD HUNTINGTON BEACH, CA 92647

A true and correct copy of the foregoing document entitled: **DECLARATION OF DEBTOR IN OPPOSITION TO HUNTINGTON BEACH GABLES HOA NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE DOC 265** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November 15, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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[bbarnhardt@ecf.courtdrive.com](mailto:bbarnhardt@ecf.courtdrive.com),[kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com)
- Aaron E. DE Leest [adeleest@DanningGill.com](mailto:adeleest@DanningGill.com), [dannninggill@gmail.com](mailto:dannninggill@gmail.com);[adeleest@ecf.inforuptcy.com](mailto:adeleest@ecf.inforuptcy.com)
- Robert P Goe [kmurphy@goeforlaw.com](mailto:kmurphy@goeforlaw.com), [rroe@goeforlaw.com](mailto:rroe@goeforlaw.com);[goeforecf@gmail.com](mailto:goeforecf@gmail.com)
- Jeffrey I Golden (TR) [lwerner@go2.law](mailto:lwerner@go2.law), [jig@trustesolutions.net](mailto:jig@trustesolutions.net);[kadele@go2.law](mailto:kadele@go2.law)
- D Edward Hays [ehays@marshackhays.com](mailto:ehays@marshackhays.com),  
[ehays@ecf.courtdrive.com](mailto:ehays@ecf.courtdrive.com);[kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com);[cmendoza@marshackhays.com](mailto:cmendoza@marshackhays.com);[cmendoza@ecf.courtdrive.com](mailto:cmendoza@ecf.courtdrive.com)
- Brandon J Iskander [biskander@goeforlaw.com](mailto:biskander@goeforlaw.com), [kmurphy@goeforlaw.com](mailto:kmurphy@goeforlaw.com)
- Eric P Israel [eisrael@DanningGill.com](mailto:eisrael@DanningGill.com), [dannninggill@gmail.com](mailto:dannninggill@gmail.com);[eisrael@ecf.inforuptcy.com](mailto:eisrael@ecf.inforuptcy.com)
- Laila Masud [lmasud@marshackhays.com](mailto:lmasud@marshackhays.com), [lmasud@ecf.courtdrive.com](mailto:lmasud@ecf.courtdrive.com);[kfrederick@ecf.courtdrive.com](mailto:kfrederick@ecf.courtdrive.com)
- Mark A Mellor [mail@mellorlawfirm.com](mailto:mail@mellorlawfirm.com), [mellormr79158@notify.bestcase.com](mailto:mellormr79158@notify.bestcase.com)
- Valerie Smith [claims@recoverycorp.com](mailto:claims@recoverycorp.com)
- United States Trustee (SA) [ustpregion16.sa.ecf@usdoj.gov](mailto:ustpregion16.sa.ecf@usdoj.gov)

**2. SERVED BY UNITED STATES MAIL:** On (date) November 15, 2022 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 15, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

EMAIL TO: JANINE B. JASSO [J9\\_JASSO@YAHOO.COM](mailto:J9_JASSO@YAHOO.COM)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 15, 2022 ROBERT MCLELLAND  
Date Printed Name

*Robert McLelland*  
Signature  
[bobwentflyng@yahoo.com](mailto:bobwentflyng@yahoo.com)

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.